**REMARKS**

Claims 1-40 are pending. Reconsideration and allowance of the claims in view of the remarks that follow are respectfully requested.

**Claim Rejections Under 35 U.S.C. §103**

On page 3 the Office Action rejects claims 1-7, 9, 10, 13-18, 22-28, 31-36 under 35 U.S.C. 103(a) as being unpatentable over Banavar (US Patent 7,050,432) and Foster (US Patent 7,042,877) in view of Vincent (US Publication 2007/0014302). On page 28 the Office Action rejects claims 8, 11, 12, 19, 20, 29, 30, 37-40 under 35 U.S.C. 103(a) as being unpatentable over Banavar (US Patent 7,050,432), Vincent (US Publication 2007/0014302), Foster (US Patent 7,042,877), further in view of Sleeckx (US Publication 2002/0175995). On page 35 the Office Action rejects claim 21 under 35 U.S.C. 103(a) as being unpatentable over Banavar (US Patent 7,050,432) further in view of Vincent (US Publication 2007/0014302). Applicants respectfully traverse the rejection.

To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) must teach or suggest <u>all</u> of the claim limitations. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991) and *MPEP* § 2142.

As detailed in the Response to Office Action filed February 6, 2009, Banavar and Foster fail to teach or suggest "retrieving subscriptions based on the subject," as recited in claims 1, 13 and 21, or "a module, executable by the processor, for retrieving a subscription based upon the subject," as recited in claim 31, or "a route module ... operate to retrieve a subscription based on the subject...," as recited in claims 22 and 39.

Specifically, Banavar describes a router with associated persistent storage for logging a message being routed to one or more clients. The logging router sends a logging acknowledgement to the routers to which the message was routed and back to the source. Nowhere does Banavar teach or suggest retrieving subscriptions based on a received packet payload section subject. The quoted section of Banavar, col. 5, line 49 - col. 6, line 8, does not describe this feature. Indeed, this section states that "subscriptions are specified in terms of predicates on the posted data, <u>rather than in terms of subject identifiers</u> supplied by the publisher." See col. 5, lines 51-53. This would appear to teach away from retrieving subscriptions based on a received packet payload section subject.

Page 9 of 11

Foster is cited to purportedly teach the payload section including information related to a video clip for a particular camera. Foster also fails to teach or suggest retrieving subscriptions based on the subject.

The Examiner alleges that Vincent teaches retrieving subscriptions based on the subject and cited Figure 2 and paragraph 15 of Vincent as support. Applicants respectfully disagree. Paragraph 15 of Vincent provides:

> FIG. 2 shows an exemplary content-based publish-subscribe messaging infrastructure that utilizes information flow graphs. In this system, stocks trades derived from two information sources NYSE and NASDAQ are combined, transformed, filtered and delivered to subscribing clients. For example, one user 312 may subscribe to the message-brokering server 302 and request to receive all stock trades on both the NYSE and NASDAQ that have a value of over one million dollars. The message broker 302 receives raw stock trade information such as price and volume from the NYSE 324 and NASDAQ 326.

Nowhere does the cited passage teach or suggest retrieving subscriptions. The passage simply describes a system in which stocks trades derived from two information sources NYSE and NASDAQ are combined, transformed, filtered and delivered to subscribing clients by message broker 302. The passage does not mention anything about retrieving subscriptions, let alone retrieving subscriptions based on the subject. Moreover, the subscriptions described are not described as subject limitations, as they are for all stock trades from the information sources. Accordingly, Vincent fails to cure the deficiency of Banavar and Foster.

Sleeckx generally describes a video surveillance system that includes at least one field recording site and at least one remote viewing site linked by a communication channel of the internet, and is cited for its teachings on routing the packet to a digital video surveillance system. Sleeckx also fails to teach or suggest retrieving subscriptions based on the subject.

Accordingly, claims 1, 13, 21, 22, 31 and 39 are patentable over Banavar, Foster, Vincent and Sleeckx because the cited references, individually or in combination, fail to teach or suggest all of the claim limitations. Dependent claims 2-12, 14-20, 23-30, 32-38 and 40 are patentable because they depend from one of claims 1, 13, 22, 31 and 39, and recite additional patentable subject matter. Withdrawal of rejections under 35 U.S.C. 103(a) is respectfully requested.
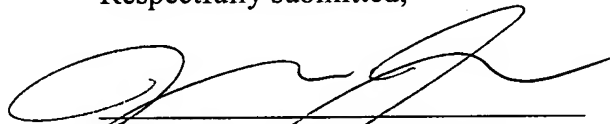
## CONCLUSION

In view of the above amendments and remarks, Applicant believes that all of the rejections against this application have been fully addressed and that the application is now in condition for allowance. Therefore, withdrawal of the outstanding rejections and a notice of allowance for the application are respectfully requested.

If the Examiner believes that a personal or telephonic interview would be of value in expediting the prosecution of this application, the Examiner is hereby invited to telephone the undersigned counsel to arrange for such a conference.

Respectfully submitted,

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